

Appl. No. 09/177,711
Amdt. dated October 21, 2003
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

REMARKS/ARGUMENTS

Upon entry of the present amendment, claims 60-62, 64-69 and 112-122 will be pending in this application and presented for examination. Claims 60-62 and 66 have been amended. Claims 70-72 and 74-111 have been canceled without prejudice. Claims 112-122 are newly added. No new matter has been introduced with the foregoing amendments and newly added claims. Reconsideration is respectfully requested.

I. SUPPORT FOR THE AMENDMENTS AND NEW CLAIMS

Claim 60 has been amended to incorporate the features of the invention that the Examiner has indicated would form the basis of allowable subject matter. Support for new claims 112-114 and 122 is found, *inter alia*, in claim 66. Support for claim 115 is found, *inter alia*, on page 6, lines 1-4. Support for claim 116 is found, *inter alia*, on page 7, lines 26-29. Support for claim 117 is found, *inter alia*, on page 8, line 9. Support for claims 118-121 is found, *inter alia*, on page 7, lines 26-27, bridging to page 8, lines 1-2, and page 17, case studies 1-4. A dosage of 5-20 µg of PGE represents about 0.0141-0.0564 µmoles of PGE1, as the molecular weight of PGE1 is 354.5 µg/µmole. The range of PGE1 (5, 10, 15 and 20 µg), together with a combination of 50 µg of SNP, represents a combination mole ratio of 1:12, 1:6, 1:4 and 1:3, respectively. As such, Applicants submit that no new matter is present in this or any other portion of the present amendment. Therefore, Applicants respectfully request that the amendments and new claims be entered.

II. REJECTION UNDER 35 U.S.C § 103(a)

The Examiner rejected claims 60-62, 64-72 and 74-111 under 35 U.S.C. § 103(a) as allegedly being obvious over Kock *et al.* (U.S. Patent No. 5,489,803) in view of Akkus *et al.* (Medline Abstract AN 95174112) and Cesar *et al.* (WO 94/04120). In response, Applicants

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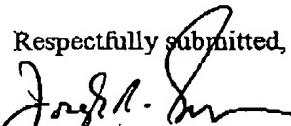
have canceled claims 70-72 and 74-111 without prejudice or disclaimer and as such, submit that the Examiner's rejection of these claims is rendered moot.

Claim 60 has been amended to contain the features that the Examiner indicated is allowable subject matter. Thus, in view of the amendment to claim 60, Applicants respectfully request that the rejections be withdrawn, and this application be sent to issue.

III. CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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Attachments
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